

SUPREME COURT OF NORTH CAROLINA

JABARI HOLMES, FRED CULP,
DANIEL E. SMITH, BRENDON
JADEN PEAY,¹ and PAUL
KEARNEY, SR.,

Plaintiffs-Appellees,

v.

TIMOTHY K. MOORE *in his official
capacity as Speaker of the North
Carolina House of Representatives;*
PHILLIP E. BERGER *in his official
capacity as President Pro Tempore of
the North Carolina Senate;* DAVID R.
LEWIS, *in his official capacity as
Chairman of the House Select
Committee on Elections for the 2018
Third Extra Session;* RALPH E.
HISE, *in his official capacity as
Chairman of the Senate Select
Committee on Election for the 2018
Third Extra Session;* THE STATE OF
NORTH CAROLINA, *and* THE
NORTH CAROLINA STATE BOARD
OF ELECTIONS,

Defendants-Appellants.

From Wake County
18-CVS-15292
No. COA 22-16

PLAINTIFFS-APPELLEES' MEMORANDUM OF
ADDITIONAL AUTHORITY

¹ Plaintiffs-Appellees have separately moved to dismiss Brendon Jaden Peay from this appeal. That motion is currently pending before this Court.

Pursuant to Rule 28(g) of the North Carolina Rules of Appellate Procedure, Plaintiffs-Appellees submit the following additional authority for the Court's consideration in the above-captioned case:

1. *N.C. State Conference of the NAACP v. Moore*, No. 261A18-3, 2022-NCSC-99, at **P2-P3, P30-P34 (Aug. 19, 2022).

The cited case concerns two issues currently before this Court:

- (i) whether the sequence of events leading up to the passage of Senate Bill 824 supports an inference of discriminatory intent, see Legislative Defendants-Appellants' Br. at 31-34 and Plaintiffs-Appellees' Br. at 15-17, 34-38; and
- (ii) the legal significance of the passage of the voter-ID amendment by North Carolina voters in the context of considering Senate Bill 824's historical background and the sequence of events preceding its enactment, see Legislative Defendants-Appellants' Br. at 21, 29-30, 42-43 and Plaintiffs-Appellees' Br. at 32-34, 34-38.

Respectfully submitted this the 26th day of August, 2022.

SOUTHERN COALITION FOR
SOCIAL JUSTICE

/s/ Jeffrey Loperfido
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N.C.R. App. P. 33(b) Certification: I certify that all of the attorneys listed below have authorized me to list their names on this document as if they had personally signed it.

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